APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/017,439	12/14/2001	Jeffrey A. Horan	2442/131	6314

22434	7590	11/25/2005

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EXAMINER
ALI, MOHAMMAD

ART UNIT	· PAPER NUMBER
2166	

DATE MAILED: 11/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	10/017,439	HORAN ET AL.
	Examiner	Art Unit	
	Mohammad Ali	2166	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *18 June 2004*.

2a)☒ This action is **FINAL.**   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-18* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-18* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

    1.☐ Certified copies of the priority documents have been received.

    2.☐ Certified copies of the priority documents have been received in Application No. _____.

    3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1.   This communication is in response to the amendment filed on 06/18/04

Claims 1-18 are pending in this Office Action. Claims 7-18 have been added as

new.

Information Disclosure Statement

2.   Reference is made to the Applicant's disclosure, Page 1, lines 10-25.

The listing of references in the specification is not a proper information disclosure

statement. 37 CFR 1.98(b) requires a list of all patents, publications, or other

information submitted for consideration by the Office, and MPEP § 609 A(1) states, "the

list may not be incorporated into the specification but must be submitted in a separate

paper." Therefore, unless the references have been cited by the examiner on form

PTO-892, they have not been considered.

Response to Arguments

3.   After further search and a thorough examination of the present application claims

1-18 remain rejected.

Applicants' arguments with respect to claims 1-18 have been considered, but

they are not deemed to be persuasive.

First, Applicant's argue that Menzies does teach do not teach 'receiving a

request message, and mapping the request message into CIM format'.

In response to applicant's arguments, the Examiner respectfully submits that in

particular, Menzies teaches this limitation as the process 100 begins at step 1100 by

selecting the OID at the start of the next range, which at this time is the start OID of the

first range, 1.2.2. At step 1102, this OID is used with the SNMP GetNext function to

receive an OID from the device, see col. 17, lines 26-40, Menzies. The set of MIBs in a

CIM installation are maintained in a repository known as an SNMB MIB repository

(SMIR) 86. In a CIM installation, each MIB such as the MIB 66.sub.3 is extracted from

the SMIR 86 and translated by a SMI (Structure of Management Information) compiler

88 into a CIM object class 90, which is then provided to the CIMOM 70 and stored in the

CIM repository 74. The SMI compiler references a number of mapping tables 92 to

facilitate the translation "format", see col. 12, lines 16-25, Menzies.

Second, Applicant's argue that Chu fails to disclose or suggest receiving a

request message from an SNMP client, and mapping the request message into CIM

formats'.

In response to applicant's arguments against the references individually, one

cannot show nonobviousness by attacking references individually where the rejections

are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208

USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir.

1986).

Further, the Examiner respectfully submits that in particular, Menzies teaches all

limitations as stated above except "message". Chu remedy such kinds of deficiency by

teaching the transmission of a message from client to server in the system is secure,

since only an authorized client can access the message queue, see paragraph 0035,

Page 4 .It would have been obvious to one ordinary skill in the data processing art, at

the time of the invention to combine the teachings of the cited references, because

message of Chu's teachings would have allowed Menzies system to analyze data with

the management tool over the online in the data warehouse as suggested by Chu, see

paragraph 0011, Pg. 1, Chu. Message as taught by Chu improves to collect data from

various system built in providers (see paragraph 0007, Page 1, Chu).

Hence, Applicants' arguments do not distinguish over the claimed invention over

the prior art of record.

In light of the foregoing arguments, the 103 rejections are hereby sustained.

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of

the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of

the various claims was commonly owned at the time any inventions covered therein

were made absent any evidence to the contrary. Applicant is advised of the obligation

under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was

not commonly owned at the time a later invention was made in order for the examiner to

consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g)

prior art under 35 U.S.C. 103(a).

5.   Claims 1-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Menzies et al. ('Menzies' hereinafter), US Patent 6,317,748 in view of Chu et al. ('Chu'

hereinafter), US PG Pub 2002/0123966.

        With respect to claim 1,

        Menzies discloses a method for accessing (see col. 6, lines 31-33, Fig. 4)

management information using SNMP-formats, the information stored in CIM formats

(see col. 7, lines 29-31), the method comprising:

        receiving a request message from an SNMP client (see col. 39-40 et seq);

        mapping (see col. 11, lines 28-32) the request message into CIM formats (see

col. 7, lines 29-31 et seq); and

        performing at least one of retrieving and setting a CIM object value (see col. 7,

lines 22-28, Fig. 2).

        Menzies does not explicitly indicate the claimed step of "message".

        Chu discloses the claimed step of message (the transmission of a message from

client to server in the system is secure, since only an authorized client can access the

message queue, see paragraph 0035, Page 4).

        It would have been obvious to one ordinary skill in the data processing art, at the

time of the invention to combine the teachings of the cited references, because

message of Chu's teachings would have allowed Menzies system to analyze data with

the management tool over the online in the data warehouse as suggested by Chu, see

paragraph 0011, Pg. 1, Chu. Message as taught by Chu improves to collect data from

various system built in providers (see paragraph 0007, Page 1, Chu).

As to claim 2,

Menzies teaches encoding CIM property values into SNMP formats ((see col. 7,

lines 29-31 et seq); and

returning an SNMP response message to the SNMP client (see col. 7, lines 12-21 et

seq).

With respect to claim 3,

Menzies discloses a method for accessing management information using

SNMP-formats, the information stored in CIM format, by generating a mapping file from

a MIB file, the MIB file including at least one SNMP variable (see col. 7, lines 16-32), the

method comprising:

receiving a request message from an SNMP client (see col. 39-40 et seq);

reading at least one SNMP variable from the MIB file (see col. 2, lines 50-53 et

seq);

generating a mapping file entry for at least one of a group and a row sequence

specified in the MIB file, the mapping file entry including an OID, a class name, a

property name, a SNMP datatype and a next OID (see col. 2, lines 42-59 et seq); and

performing at least one of retrieving and setting a CIM object value (see col. 7,

lines 22-28, Fig. 2).

Menzies does not explicitly indicate the claimed step of "message".

Chu discloses the claimed step of message (the transmission of a message from client to server in the system is secure, since only an authorized client can access the message queue, see paragraph 0035, Page 4).

It would have been obvious to one ordinary skill in the data processing art, at the time of the invention to combine the teachings of the cited references, because message of Chu's teachings would have allowed Menzies system to analyze data with the management tool over the online in the data warehouse as suggested by Chu, see paragraph 0011, Pg. 1, Chu. Message as taught by Chu improves to collect data from various system built in providers (see paragraph 0007, Page 1, Chu).

As to claim 4,

Menzies teaches wherein the mapping file entry further includes SNMP table indexes (see col. 7, lines 29-31 et seq).

Claim 5 have the same subject matter as of claim 1 except "computer program product for use on a computer system for accessing management information using SNMP-formats, the information stored in CIM formats, the computer program product comprising a computer usable medium having computer readable program code thereon" and Menzies teaches at col. 18, lines 24-27, col.11, lines 29-30 and essentially rejected for the same reasons as discussed above. Menzies does not explicitly indicate the claimed step of "message". Chu discloses the claimed step of message (the transmission of a message from client to server in the system is secure, since only an authorized client can access the message queue, see paragraph 0035, Page 4).

It would have been obvious to one ordinary skill in the data processing art, at the

time of the invention to combine the teachings of the cited references, because

message of Chu's teachings would have allowed Menzies system to analyze data with

the management tool over the online in the data warehouse as suggested by Chu, see

paragraph 0011, Pg. 1, Chu. Message as taught by Chu improves to collect data from

various system built in providers (see paragraph 0007, Page 1, Chu).

With respect to claim 6,

Menzies discloses a computer system for accessing (see col. 13, lines 24-31)

management information using SNMP-formats, the information stored in CIM formats

(see col. 7, lines 29-32), the computer system comprising:

a buffer for receiving a request message (see col. 17, lines 39-40);

logic (see col. 7, lines 22-24) that receives a request (see col. 17, lines 39-40,

Fig. 11).

Menzies does not explicitly indicate the claimed step of "message".

Chu discloses the claimed step of message (the transmission of a message from

client to server in the system is secure, since only an authorized client can access the

message queue, see paragraph 0035, Page 4).

It would have been obvious to one ordinary skill in the data processing art, at the

time of the invention to combine the teachings of the cited references, because

message of Chu's teachings would have allowed Menzies system to analyze data with

the management tool over the online in the data warehouse as suggested by Chu, see

paragraph 0011, Pg. 1, Chu. Message as taught by Chu improves to collect data from

various system built in providers (see paragraph 0007, Page 1, Chu).

Claims 7 and 8 have the same subject matter as of claim 3 and essentially

rejected for the same reasons as discussed above.

As to claim 9,

Menzies teaches providing a CIM response message,... (see col. 7, lines 29-31

et seq).

As to claim 10,

Menzies teaches mapping the CIM response message from CIM format,... (see

col. 7, lines 16-32); and

providing a SNMP response message (see col. 13, lines 60-64 et seq).

As to claim 11,

Menzies teaches mapping CIM property value in the CIM,..... (see col. 13, lines

60-64 et seq).

As to claim 12,

Menzies teaches mapping a SNMP data variable into a correspondence CIM

property (see col. 13, lines 60-64 et seq).

As to claim 13,

Menzies teaches reading an entry in a mapping file (see col. 14, lines 5-10 et

seq).

As to claim 14,

Menzies teaches providing a mapping file from a MIB file (see col. 2, lines 45-50

et seq); and

indexing the mapping file using a SNMP data variable to identify an entry with a

CIM property (see col. 13, lines 60-64 et seq).

As to claim 15,

Menzies teaches wherein the CIM property includes an OID (see col. 2, lines 59-

60 et seq).

As to claim 16,

Menzies teaches wherein the CIM property includes a CIM class name (see col.

5, lines 40-41 et seq).

As to claim 17,

Menzies teaches wherein the CIM property includes a CIM property name (see

col. 5, lines 40-41 et seq).

As to claim 18,

Menzies teaches wherein the entry includes a SNMP data type (see col. 14, lines

34-39 et seq).

Conclusion

6.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within
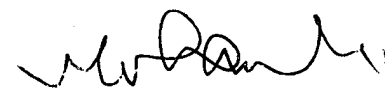
TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

Contact Information

7.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Mohammad Ali whose telephone number is (571) 272-

4105. The examiner can normally be reached on Monday-Thursday (7:30 am-6:00 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Hosain T. Alam can be reached on (571) 272-3978. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

Mohammad Ali
Primary Examiner
Art Unit 2166